

REMARKS

In reply to the action mailed December 18, 2003, Applicant asks that all claims be allowed in view of the amendment to the claims and following remarks. Claims 1-11, 13-16 and 18-26 are now pending, of which claims 1, 13, 14, 20, and 21 are independent, claims 12 and 17 are cancelled by this amendment, claims 1, 13 and 21 are amended by this amendment, and claims 25-27 are added by this amendment. Support for the claim 13 amendment and new claims 25-27 is found, at least, for example, in Fig. 3 and the specification at page 6, lines 8-14. As such, no new matter is believed to be added by this amendment.

Claim Rejections under 35 U.S.C. § 102

Claim 21 was rejected under 35 U.S.C. § 102 as being anticipated by Hoyle (U.S. Patent No. 6,141,010). Applicant requests reconsideration and withdrawal of this rejection because Hoyle does not describe or suggest the subject matter of independent claim 21.

Amended claim 21 is directed to a computer-implemented method for reconfiguring chrome of a user interface to a web browser program and recites, *inter alia*, adding a new control element to the chrome being displayed while maintaining at least one element of the chrome that was displayed prior to the addition of the new control element. The new control element is configured in response to the current web site being rendered to invoke functionality related to the current web site being rendered (emphasis added).

Hoyle is directed to providing an automatically upgradeable software application that includes targeted advertising. See Hoyle at Abstract. In general, Hoyle discloses a software application that displays a particular banner advertisement based on demographics and user interaction with the computer. See Hoyle at Abstract. In addition, the software application is operable to access a server to determine whether one or more components of the software application need to be upgraded to a newer version, and, when so, downloads the components over a network and installs the components without requiring any input or action by the user. See Hoyle at Abstract. The GUI module of Hoyle's software application generates an application window separated into various regions, including a pull-down menu containing basic commands available to the user, a toolbar of menu icons, each of which includes quick access to some commands contained in the pull-down menu, and a URL text field for entering URLs or paths to locally-stored files for access and display of the specified web page. See Hoyle at col. 9, lines

27-52. The application window includes a banner advertising region for displaying advertisements stored locally. See Hoyle at col. 9, lines 29-34 and 52-55. The application window also includes a toolbar containing application icons to provide single-click initiation of any programs accessible to the user's computer and a toolbar containing bookmark category icons to organize links to various web pages. See Hoyle at col. 9, lines 30-35 and 57-59; and col. 10, lines 2-13. Hoyle discloses that when the software application is initially installed, the application-icon toolbar is created based on shortcuts existing on the computer's software desktop and thereafter permits the user to manually customize the toolbar. See Hoyle at col. 9, lines 30-35 and 62-64 (stating, *inter alia*, "the user can customize this toolbar either by dragging icons onto or off of the toolbar, or via a suitable command available under the 'Tools' menu item.")). In addition, Hoyle discloses that the software application can be programmed to automatically add or remove icons from the toolbar when the icons are added or removed from the desktop. See Hoyle at col. 9, lines 65-67. Hoyle also discloses the ability of a user to manually add, to the bookmark category toolbar, links to web pages or category icons to organize sets of links. See Hoyle at col. 10, lines 1-18 (stating, *inter alia*, "additional links can be added by conventional drag and drop methods (i.e., dragging onto the bookmark category icons 80) or via menu commands.")).

Thus, Hoyle discloses adding a new icon to a toolbar based on manual user configuration of the toolbar itself, programmatically adding a new icon to a toolbar based on manual configuration of the computer's software desktop, or manual user configuration of a toolbar for links to web pages. As such, Hoyle does not disclose adding a new control element in response to a current web site being rendered to invoke functionality related to the current web site being rendered, as recited by amended claim 21.

In further contrast with Hoyle, amended claim 21 recites adding a new control element to the chrome being displayed while maintaining at least one element of the chrome that was displayed prior to the addition of the new control element where the new control element is configured in response to the current web site being rendered to invoke functionality related to the current web site being rendered.

Because Hoyle does not describe or suggest the subject matter of amended claim 21, Applicant requests reconsideration and withdrawal of the rejection of claim 21. Applicant submits that claims 22-24 are allowable at least by virtue of their dependence on claim 21.

Claim Rejections under 35 U.S.C. § 103

Claims 1, 3, 8-12, 14, 16-20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Bertram (U.S. Patent No. 5,818,446) in view of Hoyle and "Alexa Internet and Netscape Team To Provide Related Sites To Support Smart Browsing" (hereinafter "Alexa"). Applicant requests reconsideration and withdrawal of this rejection in view of the following remarks.

Amended claim 1 is directed to a web browser that, *inter alia*, adds a new control element to the chrome being displayed while maintaining at least one element of the chrome that was displayed prior to the addition of the new control element. Moreover, the chrome that is displayed by the chrome display program adds a control element to the chrome displayed while maintaining at least one element of the chrome displayed prior to the addition of the new control element. The new control element is configured in response to the current web site being rendered to invoke functionality related to the current web site being rendered.

Applicant requests reconsideration and withdrawal of the rejection to claim 1 because neither Bertram, Hoyle, Alexa, nor any combination of the references describes or suggests a web browser program configured to supplement chrome in response to a current web site being rendered with a control element that is configured to invoke functionality related to the current web site being rendered while maintaining or retaining at least one element of the chrome that was displayed prior to the addition of the new element.

Bertram is directed to a mechanism for wholesale substitution of one user interface for another user interface. Bertram discloses that a user interface includes buttons. See Bertram at col. 3, lines 57-60 ("The user interface is typically a static array of functionally selectable icons, scrollbars, typing fields, buttons and the like display [sic] that engage display and data management functions at the request of the user."). Bertram discloses "a computer system having changeable user interfaces." See Bertram at col. 3, lines 1-2. Bertram notes the need for switching "between user interfaces at the preference of the user or when the data being displayed to a user changes in such a fashion that a different user interface would be better suited to the

display and user needs.” See Bertram at col. 6, lines 21-25. Bertram discloses that “[c]hanges between various user interfaces presented to the user should be quick, simple and easily selectable and automatic when possible.” See Bertram at col. 6, lines 26-28. Accordingly, Bertram describes the substitution of a different user interface as evidenced, *inter alia*, by the statement that “[c]hanges between various user interfaces” occur. Bertram does not describe the addition of a control element to a user interface, but rather, Bertram discloses a wholesale change between user interfaces. Similarly, Bertram discloses “a substitution of the new interface control 3 in FIG. 2.” See Bertram at col. 10, lines 16-17. As shown in FIG. 2, and conceded by the Examiner, the new interface control 3 includes multiple chrome elements that replace all of the elements of the previous user interfaces chrome shown in FIG. 1 with a new chrome. See Office Action of December 18, 2003 at page 5, lines 13-15 (stating “Bertram teaches a child interface control 3 in figure 2, which includes multiple chrome control elements that replace all of the chrome control elements of the previous user interfaces shown in figure 1 such that none of the chrome control element[s] in figure 2 are the same as the chrome control element in figure 1.”). Thus, in Bertram, none of the chrome elements in FIG. 2 are the same as the chrome elements in FIG. 1. Moreover, Bertram replaces all of the chrome and does not add an control element to the chrome.

The Examiner states that Bertram teaches “an automatic or selective modification of the user interface including control elements to invoke functionality related to the current web site [sic] being rendered, such as home, print, etc. control element to suit the user preference.” See Office Action of December 18, 2003 at page 5, lines 9-12. The Applicant respectfully disagrees. It is the maintenance or retention of an existing or an initial user interface control element that is missing in Bertram, and that this feature is missing is evidenced by Bertram’s repeated references to replacement of the user interface (as opposed to replacement of control elements which are sub-components of the user interface) and reinforced by Bertram’s exemplary embodiments and corresponding figures which show all control elements being either changed or maintained in a different display format. Bertram explicitly recognizes a distinction between the user interface and its sub-component control elements (for example, see Bertram at col. 10, lines 11-15), yet the Bertram disclosure focuses on replacement of the user interface with no reference, teaching or suggestion of adding control elements (1) while maintaining at least one

control element of the chrome that was displayed prior to the addition of the new control element (2) where the new control element is configured in response to the current web site being rendered (3) to invoke functionality related to the current web site being rendered.

Specifically, Bertram describes how “any user interface is changed by simply removing the currently active user interface and control code being executed in the processor and replacing it with a new user interface and control code without affecting the data being displayed. The user interface can be switched automatically in response to the receipt of a communicated desire to change the interface based on data content or format or it can be switched by the specific request of the user.” See Bertram at col. 7, lines 26-35 (emphasis added). Thus, Bertram only discloses changing “any user interface ... by ... removing the currently active user interface ... and replacing it with a new user interface.” In yet another description, Bertram also discloses a

preferred embodiment which features a web browser implementation of a computer system having changeable user interfaces in accordance with the invention herein. . . . [T]he control procedures for detecting a request for a user interface display change and for determining which interface should be selected and for controlling, loading and installation of the requested new user interface as an element in the display output from the computer system are entirely separate from the content being displayed, i.e. the information or data which will be displayed in the viewing window which is affected or operated upon by users interaction with the user interface controls also present on the screen of the display.

See Bertram at col. 2, line 66 – col. 3, line 14 (emphasis added). Here, once again, Bertram only discloses switching one user interface with another user interface. Bertram does not disclose adding “user interface controls” with which the user interacts which are sub-components of such a user interface, but rather, Bertram discloses detecting a request for a user interface display change, determining which interface should be selected, and controlling, loading and installing the requested new user interface. Bertram also describes a web browser making a determination as to whether it is the first time “that the child user interface needs to be loaded and will proceed to load that interface.” See Bertram at col. 11, 24-36 (emphasis added). In addition, Bertram describes how “to switch to a new user interface” but does not disclose switching user interface controls. See Bertram at col. 11, lines 48-50.

In contrast with Bertram, amended claim 1 recites chrome being displayed by a chrome display program that adds a control element configured to invoke functionality related to the current web site being rendered to the chrome being displayed while maintaining at least one element of the chrome that was displayed prior to the addition of the new element. With respect to one example, page 6, lines 25-29 of the Specification describes generating a dollar-signed shaped button in the chrome portion of the display in response to a chrome specifier of the current web site. This example illustrates that the chrome element of a button is added to the chrome while maintaining or retaining an existing control element, a feature that is missing in Bertram. As such, Bertram does not describe or suggest chrome being displayed by a chrome display program that adds a control element configured to invoke functionality related to the current web site being rendered to the chrome displayed while maintaining at least one element of the chrome that was displayed prior to the addition of the new control element.

The Examiner states that, since Hoyle evidences that modifications to control elements were known in the art at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to have recognized that Bertram's modification included replacing, change, addition, removing to provide a new chrome to the user. Assuming for the sake of argument only that the Examiner's proposition is true, amended claim 1 recites adding a new control element to the chrome being displayed (1) while maintaining at least one control element of the chrome that was displayed prior to the addition of the new control element (2) where the new control element is configured in response to the current web site being rendered (3) to invoke functionality related to the current web site being rendered. Hoyle fails to address these features. For instance, as discussed above with respect to claim 21, Hoyle does not disclose or suggest configuring a new control element in response to the current web site being rendered. Thus, Hoyle cannot cure Bertram's failure to describe or suggest the subject matter of amended claim 1.

Alexa is directed to providing related web site information and does not remedy the failure of Bertram to describe or suggest chrome being displayed by a chrome display program that adds a control element configured to invoke functionality related to the current web site being rendered to the chrome displayed while maintaining at least one element of the chrome that was displayed prior to the addition of the new control element.

The Examiner states that Alexa teaches adding a new element to the chrome and cites Alexa at page 3, lines 20-25 describing adding advertising on a toolbar. The Applicant respectfully disagrees that Alexa teaches, as recited by claim 1, adding a new control element. Alexa displays advertisements in the feature pop-up windows and on the toolbar. As such, Alexa discloses displaying advertisements which correspond to content being displayed; such advertisements are not control elements of the chrome. Moreover, amended claim 1 recites that the new control element is configured to invoke functionality related to the current web site being rendered. The pop-up advertisements disclosed in Alexa do not relate to the current web site being rendered. Thus, Alex does not remedy the failure of Bertram to describe or suggest the subject matter of amended claim 1.

Neither do any of the references Eric Miller, "An Introduction to the Resource Description Framework," D-Lib Magazine, May 1998, pages 1-12, Peyer (U.S. Patent No. 6,188,401), or Brown, et al. "Using Netscape 2" published by Que Corporation 1995, page 74, remedy the failure of Alexa, Hoyle, and Bertram, alone or in combination, to describe or suggest the subject matter of amended claim 1.

Therefore, neither Bertram, Alexa, nor the combination of the two describe or suggest the subject matter of amended claim 1. For at least these reasons, Applicant requests reconsideration and withdrawal of the rejection of claim 1 and claims 2-11, 15 and 16, which depend from claim 1.

The Examiner also rejects claim 15 as being unpatentable over "Ad on the Bar Campaign Supplements Alexa's Focused Advertising Program," http://www.alexa.com/press/press_releases/ad.html, pages 1-3, published 12/10/1997 (hereinafter, "Alexa 2"). Alexa 2 discloses the display of advertisements on a toolbar. As such, Alexa 2 does not remedy the failure of Alexa and Bertram to describe or suggest the subject matter of amended claim 1 from which claim 15 depends.

Claim 15 is directed to a feature of the web browser program recited in amended claim 1 from which claim 15 depends. More particularly, claim 15 recites the chrome corresponding to the chrome specifiers of the current web site being rendered and displayed by the chrome display program adds a new control element to the chrome displayed based on past web sites rendered by the client computer while maintaining at least one element of the chrome displayed prior to the

addition of the new control element. For at least these reasons and the reasons described above with respect to independent claim 1, Applicant requests reconsideration and withdrawal of the rejection to claim 15.

As to claims 12 and 17, this rejection is rendered moot by the cancellation of claims 12 and 17.

Claim 14 is directed to a web browser that, *inter alia*, displays chrome such that the chrome is based on a chrome specifier corresponding to the current web site being rendered when a chrome specifier is associated with the current web site and such that the chrome returns to a default chrome when a chrome specifier is not associated with the current web site.

Bertram is directed to automatically switching a user interface “in response to the receipt of a communicated desire to change the interface based on data content or format.” See Bertram at col. 7, lines 30-34. A different user interface is presented in response to “particular content or type of content.” See Bertram at col. 7, lines 18-21. A different user interface also may be presented based on a “specific request of the user.” See Bertram at col. 7, lines 33-34. As such, Bertram does not disclose modifying the user interface until another chrome specifier is encountered. In contrast, claim 14 recites that, when a chrome specifier is not associated with the current web site, the chrome returns to a default chrome.

For this reason, the Examiner admits that Bertram does not explicitly teach the chrome returns to a default chrome when the chrome specifier is not associated with the current web site, as recited in claim 14. Instead, Bertram discloses that a user can switch back to a standard user interface by pressing a key sequence or clicking on an icon. See Bertram, col. 8, lines 30-42

The Examiner relies on Hoyle for teaching that the chrome returns to a default chrome when the chrome specifier is not associated with the current web site. In particular, the Examiner states:

Hoyle teaches when the user enter[s] a web page location in a URL field 74, a default browser is used to display the specific web page (Hoyle, col. 9, lines 44-52); default browser becomes a customized browser by add[ing] or remov[ing] icon onto or off the toolbar of the default browser (Hoyle, col. 9, lines 62-67); “automatically add or remove icons”; and a default browser is returned when the user access[es] another link (web page) (Hoyle, col. 10, lines 11-13).

Office Action of December 18, 2003 at page 12, lines 4-8.

As discussed with regard to amended claim 21, Hoyle discloses adding a new icon to a toolbar based on manual user configuration of the toolbar itself, programmatically adding a new icon to a toolbar based on manual configuration of the computer's software desktop, or manual user configuration of a toolbar for links to web pages. Thus, Hoyle does not disclose displaying chrome based on a chrome specifier corresponding to the current web site being rendered when a chrome specifier is associated with the current web site, much less returning the chrome to a default chrome when a chrome specifier is not associated with the current web site, as recited in claim 14.

Hoyle discloses that the web browser is operable to access a web page based on the user's manual selection of a link in the bookmark category toolbar. See Hoyle at col. 10, lines 11-13. To access a web page, Hoyle uses a default browser. See Hoyle at col. 9, lines 46-52 (describing how, in response to the user's entering a web page location into the URL field, the GUI module "initiates operation of the user's default browser and directs it to access and display the specified web page."). The Hoyle disclosure continues with a description of the ways in which Hoyle's interface can be customized – namely, discloses adding a new icon to a toolbar based on manual user configuration of the toolbar itself, programmatically adding a new icon to a toolbar based on manual configuration of the computer's software desktop, or manual user configuration of a toolbar for links to web pages, as described previously with respect to amended claim 21. See Hoyle at col. 9, line 52 – col. 10, line 11. In the context of describing how the bookmark category toolbar can be manually customized by the user, Hoyle describes how a user can select a link to a web page in the bookmark category toolbar to access the selected web page "using the default browser." However, as made clear from the above discussion, Hoyle does not describe or suggest does not disclose displaying chrome based on a chrome specifier corresponding to the current web site being rendered when a chrome specifier is associated with the current web site, much less returning the chrome to a default chrome when a chrome specifier is not associated with the current web site, as recited in claim 14.

Therefore, Bertram, Alexa, or Hoyle, alone or in combination, do not describe or suggest the subject matter of claim 14. For at least this reason, Applicant requests allowance of claim 14 and claim 19 which depends on claim 14.

Claim 20 is directed to a web browser program that, *inter alia*, modifies less than all of the control elements on the chrome and at least one of the modified control elements is configured to invoke functionality related to the current web site being rendered. As described previously with respect to claim 1, Bertram replaces all of the control elements. Thus, Bertram does not disclose modifying less than all of the control elements on the chrome. Alexa discloses displaying advertisements, as described above. As such, Alexa does not disclose modifying less than all of the control elements on the chrome, as recited in claim 20.

Therefore, neither Bertram, Alexa, Hoyle, nor the combination of the references describe or suggest the subject matter of claim 20. For at least this reason, Applicant requests allowance of claim 20.

Claim 13 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Bertram in view of Hoyle and Alexa as applied to claim 1 and in further view of Hetherington (U.S. Patent No. 6,396,515).

Claim 13 recites a web browser that, *inter alia*, displays chrome based on chrome specifiers and displayed by the chrome display program that includes words that are based on a stored language demographic of the user.

As neither Bertram, Alexa, Hoyle, Hetherington or any combination of the references describes or suggests this feature, Applicant requests reconsideration and withdrawal of the rejection to claim 13.

Bertram substitutes, for “a normal adult or parent browser user interface,” a new user interface that includes animal graphics. See Bertram at col. 10, lines 1-19. In contrast, claim 13 recites a chrome that includes words that are based a language demographic of the user. The animal graphics in Bertram do not include or otherwise suggest words. Thus, the animal graphic in Bertram is distinguishable from a chrome that includes words that are based on a stored language demographic of the user as recited in the present application. Neither Hoyle nor Alexa does not remedy this failure of Bertram. Therefore, neither Bertram, Alexa, nor the combination of the two describe or suggest the subject matter of claim 13.

Hetherington discloses dynamically linking at runtime language-specific files containing user interface text during the initialization of an application or when a language change request is received. See Hetherington at Abstract. Hetherington discloses “allow[ing] users to change user

interface display languages on the fly, and permits multiple users of an application to change the display language.” See Hetherington at col. 4, lines 32-35. Thus, Hetherington discloses dynamically changing the language used to display text of a user interface under manual user control, not based on a stored language demographic of a user, as recited in claim 13.

The Examiner states that “it would have been obvious for an ordinary skill in the art to have combined Hetherington and Bertram to include in the chrome display words based on the language demographic of the user.” The Applicant respectfully disagrees and, in any case, neither Bertram nor Hetherington displays chrome based on chrome specifiers and displayed by the chrome display program that includes words that are based on a stored language demographic of the user, as recited in claim 13.

For at least these reasons, Applicant requests withdrawal of the rejection of claim 13. Applicant submits that claim 18, and new claims 25 and 26 are allowable at least by virtue of their dependence on claim 13.

Claim 21 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Bertram in view of Hoyle. As described above with respect to the § 102 rejection of this claim and described above with respect to claim 1, neither Bertram, Hoyle, nor the combination of the two describes or suggests the subject matter of claim 21. For at least these reasons, Applicant requests withdrawal of this rejection of claim 21. As described previously, Alex does not cure the failure of Bertram and Hoyle. As such, the Applicant submits that claims 22-24 are allowable at least by virtue of their dependence on claim 21.

Additionally, Applicant's identification of the differences of the features recited in the pending claims and Hoyle should not be taken as an admission that Hoyle is properly considered prior art.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this reply should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this reply,

Applicant : David HYATT et al.
Serial No. : 09/208,805
Filed : December 9, 1998
Page : 21 of 21

Attorney's Docket No.: 06975-188001 / Browser 05

and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Applicants asks that all claims be allowed.

Pursuant to 37 CFR §1.136, applicant hereby petitions that the period for response to the action dated December 18, 2003, be extended for one month to and including April 19, 2004 (due to April 18, 2004 falling on a Saturday).

Enclosed is a check for \$128.00 for the excess claim fee (\$18.00) and the Petition for Extension of Time fee (\$110.00). Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: 4-19-04

Barbara A Benoit

Barbara A. Benoit
Reg. No. 54,777

Fish & Richardson P.C.
1425 K Street, N.W.
11th Floor
Washington, DC 20005-3500
Telephone: (202) 783-5070
Facsimile: (202) 783-2331